

JUDGE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KAMSATH BUTH,

Defendant.

NO. CR05-5469FDB

ORDER FOR PSYCHIATRIC
EXAMINATION AND COMPETENCY
HEARING

THIS MATTER having come before the Court upon the motion of the defense for an order directing a psychiatric examination pursuant to 18 U.S.C. § 4241(a), and the Court having heard and considered said motion, and there being no objection from the Government, the Court finds that there is reasonable cause to believe that the Defendant may be presently suffering from a mental disease or defect, and that he may be mentally incompetent to the extent that he is unable to understand the nature and consequences of his actions or the proceedings against or to assist properly in his defense. Accordingly,

IT IS HEREBY ORDERED THAT a mental examination be conducted on defendant Kamsath Buth; and

1 IT IS FURTHER ORDERED that the defense and the Government shall consult and
2 select a mutually-acceptable, qualified psychologist or psychologist to conduct the
3 examination and submit the expert's name and qualifications to the Court for approval; and

4 IT IS FURTHER ORDERED that, if the proposed expert is approved by the Court, the
5 Defendant shall cooperate with a mental health examination, to be conducted at the Federal
6 Detention Center in Seatac; and

7 IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 4247©), that a report of the
8 examination shall be prepared by the examiner and filed with the Court, at the Court's
9 expense, with copies provided to counsel for defendant and the attorney for the Government;
10 and

11 IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 3161(h)(1)(A), that the time
12 required to determine the defendant's mental condition or competency shall be excluded under
13 the Speedy Trial Act.

14 DONE this 5th day of January, 2006.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

Prepared by:

/s/ Colin A. Fieman

COLIN A. FIEMAN

Assistant Federal Public Defender